

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

UNITED STATES OF AMERICA §
§
VS. § CRIMINAL NO. 1:18-CR-00016-LY
§
CHARLES MCALLISTER §
§

DEFENDANT'S UNOPPOSED MOTION TO CONTINUE SENTENCING HEARING

Defendant, Charles McAllister, hereby moves the Court pursuant to Federal Rules of Criminal Procedure 32 and 45 for a continuance of the sentencing hearing currently set for December 19, 2019. In support of his Motion, Defendant states as follows:

1. This matter went to trial on September 30, 2019. On October 5, 2019, the jury returned a guilty verdict against Defendant on two counts of wire fraud and one count of money laundering. The Court set Defendant's sentencing hearing for December 19, 2019.

2. On November 14, 2019, the probation office served its Presentence Investigation Report ("PSR") relying on a loss number of \$16,186,212.56 and recommending restitution in that amount. (Dkt. 83). After a brief extension, Defendant served his Objections to Presentence Investigation Report ("Objections") on December 5, 2019. As set forth in the Objections, Defendant objects to the loss and restitution number advanced by the Government at trial and adopted by the probation office in the PSR.

3. Defendant respectfully requests a continuance of the currently scheduled sentencing hearing to allow additional time to prepare his analysis and evidence with respect to the loss and restitution number. Defendant requests a continuance to January or February of 2020. Such a setting will not unnecessarily delay sentencing.

4. Counsel for Defendant has conferred with counsel for the Government and the Government does not oppose this Motion.

WHEREFORE, Defendant respectfully requests a brief continuance of the sentencing hearing in this matter to January or February 2020.

Dated: December 10, 2019.

Respectfully submitted,

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/s/ Tiffany Raush
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Attorney for Defendant
CHARLES MCALLISTER

CERTIFICATE OF CONFERENCE

I hereby certify that on the 10th day of December, 2019 the undersigned conferred with counsel for the Government regarding filing of the Motion to Continue Sentencing Hearing, and this motion is unopposed.

/s/ Tiffany C. Raush
TIFFANY C. RAUSH

CERTIFICATE OF SERVICE

I hereby certify that a true and correct of the above and foregoing filed via the CM/ECF system which caused service upon all parties on December 10, 2019.

/s/ Tiffany Raush
TIFFANY C. RAUSH